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Serial No.: 10/003,675   Attorney Docket No.: K35A1023

REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1-6 are pending in the application.

Applicant thanks Examiner Popham for the helpful interview conducted January 19, 2006. During that interview, an interpretation of the last paragraph in claim 1 was discussed with respect to paragraph [0017] of the specification. The Examiner asserted that the "notifying" feature of claim 1 can be construed so broad as to encompass a simple read from or write to a disk drive under execution of a host computer. Claim 1 has been amended to clarify its original recitation; that is, the function referenced in the "notifying" feature of claim 1 refers to an executable function. Claim 1, like independent claim 4, is patentably distinct over the documents relied upon by the Examiner in the previous Office Action.

More particularly, in the Office Action dated September 28, 2005, independent claim 1 and claims 4-6 are rejected as being anticipated by U.S. Patent Application Publication U.S. 2002/0010863 A1 (Mankefors). In numbered paragraph 3, dependent claims 2 and 3 are rejected as being unpatentable over the Mankefors publication, in view of U.S. Patent 6,681,304 (Vogt et al.). On page 2 of the Final Office Action, under the heading "Response To Arguments", the Examiner references the "flags" of the Mankefors document. However, as agreed during the interview, the flags of the Mankefors document do not constitute an executable function characterized by contents of a mailbox file as recited in Applicant's claim 1 "notifying" feature.

As discussed during the Examiner Interview, paragraph [0017] of Applicant's specification refers to exemplary embodiments of the present invention encompassed by claim 1. For example, Applicants' claim 1 method for installing a mailbox file includes obtaining a disk drive access key from an access key server, the access key being generated by the access key server as a function of an identifying characteristic of the disk drive; creating a mailbox file in the first range of addressable locations using the access key obtained from the access key server; and notifying the disk drive of a location of the mailbox file in the first range of addressable locations (see, e.g.,

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paragraphs [0005] and [0027]). The disk drive can perform an executable function characterized by contents of the mailbox file (see, e.g., Applicant's paragraphs [0018]).

Claim 4 is directed to a method for accessing a mailbox file associated with a first range of disk drive host interface addressable locations. The method includes steps of recognizing a command from a host operating system in reference to the mailbox file associated with the first range of disk drive host interface addressable locations; and responding to the command by performing within the disk controller an executable function characterized by the contents of the mailbox file (see, e.g., Applicant's paragraphs [0032]-[0034]).

The Mankefors publication discloses a method for preventing unauthorized reproduction of software (see, e.g., Abstract and paragraph [0050] of the Mankefors publication). As acknowledged during the Examiner Interview, the Mankefors document does not disclose a mailbox file in a disk drive which can perform an executable function characterized by contents of the mailbox file.

Fig. 5 of the Mankefors publication discloses a system 50 comprising a computer 51, a server 52, a database 53 and a key server 54. The Examiner asserts on pages 2-5 of the Office Action that paragraphs 38-39 and 42-43 of the Mankefors publication disclose Applicant's claimed feature of creating of a mailbox file, and Applicant's claimed feature of notifying the disk drive of a location of the mailbox file. The Mankefors publication discloses control information (flags) that are saved in a special location (e.g., paragraph [0038]), such as in a separate file or in an existing Operating System file. The flags are described in paragraph [0038] as control information flags used as verification information to certify authorized use of a program which has been downloaded to a personal computer. The Mankefors publication states that the "flags are saved in a file which can be a part of the program itself or placed at another location on the hard disk or a storage arrangement, which is 'difficult' to find" (paragraph [0039]). The Mankefors publication teaches that this special location needs to be searched and found, because the hard drive does not receive a notification as to where this special location might be.

Therefore, the Mankefors publication does not teach or suggest notifying a disk drive of a location of a mailbox file in a first range of addressable locations. In addition, the Mankefors publication does not teach or suggest that the disk drive can perform an executable function characterized by contents of the mailbox file as recited in claim 1. Claim 1 is therefore allowable.

Further, the "Background" portion of the Mankefors publication, as described in paragraph [0002] through [0018] appears to suggest that Mankefors is concerned with a disk controller which only functions at the direction of a host controller. As such, this document teaches away from Applicant's claimed "mailbox file" wherein the disk drive can perform an executable function characterized by contents of the mailbox file (Applicant's claim 1).

For reasons similar to those noted with respect to claim 1, Applicant's claim 4 is allowable. For example, the Mankefors publication does not teach or suggest responding to a command by performing within the disk controller an executable function characterized by the contents of the mailbox file as recited in claim 4.

The Vogt et al. patent does not cure the noted deficiencies of the Mankefors publication. The Vogt et al. patent was cited for its disclosure of a hidden storage (col. 3, lines 33-42). However, the Vogt et al. patent, considered alone or in combination with the Mankefors publication, does not teach or suggest notifying a disk drive of a location of the mailbox file in the first range of addressable locations, wherein the disk drive can perform an executable function characterized by contents of the mailbox file as recited in claim 1. The Vogt et al. patent, considered alone or in combination with the Mankefors publication, also does not teach or suggest responding to a command by performing within the disk controller an executable function characterized by the contents of the mailbox file as recited in claim 4.

For the foregoing reasons, Applicant's claims 1 and 4 are allowable. The remaining claims depend from independent claims 1 and 4, and recite additional advantageous features which further distinguish over the documents relied upon by the Examiner. As such, the present application is in condition for allowance.

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     All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the application is in condition for allowance and a Notice of Allowance is respectfully solicited.

     The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 23-1209.

Respectfully submitted,

Date: <u>February 27, 2006</u>   By: _____
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